

EIGHTEENTH DAY

(Monday, February 6, 1939)

The House met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Goodman
Allen	Gordon, Mrs.
Allison	Hale
Alsup	Hamilton
Anderson	Hankamer
Bailey	Hardeman
Baker	Hardin
of Fort Bend	Harp
Baker of Grayson	Harper
Bell	Harrell of Bastrop
Blankenship	Harrell of Lamar
Bond	Harris
Boyd	Hartzog
Boyer	Heflin
Bradbury	Howard
Bradford	Howington
Bray	Hull
Bridgers	Hunt
Broadfoot	Isaacks
Brown of Cherokee	Johnson of Tarrant
Brown	Keith
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Cauthorn	Kinard
Celaya	King
Chambers	Langdon
Clark	Lehman
Cleveland	Leonard
Cockrell	Leyendecker
Coleman	Little
Colquitt	Lock
Colson, Mrs.	Loggins
Cornett	London
Corry	Mays
Crossley	McAlister
Daniel	McDaniel
Davis of Jasper	McDonald
Davis of Upshur	McFarland
Dean	McMurry
Derden	McNamara
Dickison	Mohrmann
Dickson	Montgomery
Donaghey	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Olsen
Ferguson	Pace
Fielden	Petsch
Fuchs	Pevhouse
Galbreath	Piner
Gilmer	

Pope	Stoll
Ragsdale	Talbert
Reader of Bexar	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Riviere	Vale
Roach	Vint
Roberts	Voigt
Robinson	Waggoner
Russell	Weldon
Schuenemann	Wells
Segrist	Westbrook
Shell	White
Skiles	Wilson
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley
Spencer	Wright
Stinson	

Absent—Excused

Holland	Smith of Frio
Johnson of Ellis	Tarwater
Monkhouse	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, humbly we come into Thy special presence, with gratitude for the past blessings bestowed upon us and our goodly state. Thou knowest that we would work for the benefit of all classes of our people. Open unto us doors that we may enter, and lead us on to worthy and permanently helpful accomplishments. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Smith of Frio for today, on motion of Mr. Little.

Mr. Tarwater for today, on account of important State business, on motion of Mr. Nicholson.

Mr. Holland for today, on motion of Mr. McNamara.

Mr. Monkhouse for today, on motion of Mr. Worley.

Mr. Johnson of Ellis for today, on motion of Mr. Faulkner.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and

referred to the appropriate committees, as follows:

By Mr. Kinard, Mr. Boyd, Mr. Davis of Jasper, Mr. Little, Mr. Johnson of Ellis, Mr. White, Mr. Ferguson, Mr. Lehman, Mr. Harrell of Bastrop, Mr. Lock, Mr. Newell, Mr. Faulkner, Mr. Kersey, Mr. Hunt, Mr. Ragsdale, Mr. Bradbury, Mr. Hale, Mr. Dickson, Mr. Pevehouse, Mr. Skiles, Mr. Harris, Mr. Weldon, Mr. Reaves, Mr. Cleveland, Mr. Holland, Mr. Celaya, Mr. Spencer, Mr. Brown of Nacogdoches and Mr. Reader of Erath:

H. B. No. 412, A bill to be entitled "An Act to amend Article 4399 of the Revised Civil Statutes of Texas (1925) more clearly defining some of the duties of the Attorney General and imposing other and additional duties upon such Officer, and providing an emergency."

Referred to the Committee on State Affairs.

By Mr. McFarland and Mr. Bundy:

H. B. No. 413, A bill to be entitled "An Act providing that all Ordinances hereinafter enacted by Home Rule Cities in the State of Texas, organized and operating under the Home Rule Amendment to the Constitution of the State of Texas, and the provisions of Title 28, Chapter 13, of the Revised Civil Statutes of Texas, 1925, shall be published as provided in the charters of such cities, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. McFarland and Mr. Bundy:

H. B. No. 414, A bill to be entitled "An Act validating all Ordinances of Home Rule Cities in Texas incorporated under and operating under the provisions of the Home Rule Amendment to the Constitution of the State of Texas and under Title 28, Chapter 13 of the Revised Civil Statutes of Texas, 1925, where such Ordinances have been passed in compliance with the charters of such Home Rule Cities and have been published, as provided in such charters, where such charters require same to be published, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Schuenemann and Mr. Harper:

H. B. No. 415, A bill to be entitled "An Act amending Articles 697 and 698 of the 1925 Revised Criminal Statutes of Texas by providing that it shall be the duty of the Attorney General to prosecute violations under said Articles for the penal offense committed or to prevent the violation of same by writ of injunction and by further providing in said Article 697 that the terms of same shall apply to all officers of municipal and private corporations; by amending Article 698 by defining persons who shall be charged with pollution; by defining the term pollutant; charging the Game, Fish and Oyster Commission with the duty of enforcing the provisions of said Article 698; providing that it shall be the duty of the Attorney General, when requested to do so by the County and/or District Attorney to assist in the prosecution of violations of this Article and to enforce the same by writ of injunction; providing that complaint may be filed and venue may lie and injunction proceedings may be brought in certain counties of this State other than in which the offense occurs; providing a penalty for violation of said Article 698, and disposition of fines collected, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Dean:

H. B. No. 416, A bill to be entitled "An Act levying an occupation tax on every person, firm or corporation conducting the business of advertising by signs painted, printed or pasted on bill-boards or other similar spaces, providing the method for paying and collecting such tax, providing for registration, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Derden, Mr. McNamara, Mr. Turner, Mr. Spencer, Mr. Weldon, Mr. Harrell of Lamar, Mr. Bailey, Mr. Russell, Mr. Oliver, Mr. Chambers and Mr. Howington:

H. B. No. 417, A bill to be entitled "An Act repealing Sections 1 to 21, both inclusive, of Article II, Chapter 495, Acts of the Forty-fourth Legislature. Third Called Session; providing for the payment of old age assistance

in Texas, and prescribing the qualifications for assistance, both from the State of Texas and the Federal Government, and prescribing the methods of determining the eligibility of applicants for assistance, the methods of administering old age assistance in this State; providing a penalty for willfully and intentionally misrepresenting or misstating any facts required in an application for old age assistance, and providing for investigation and prosecution of such applicant; providing for the employment of an Executive Director, one Assistant, one Auditor and stenographers and prescribing the salary of each; placing a limit upon the cost of administration of the old age assistance in this State; prescribing the method of payment of old age assistance; prescribing a penalty for excessive charge in representing an applicant in obtaining old age assistance; amending Section 2 of Chapter 162, Acts of the Forty-third Legislature, Regular Session, as amended by Article IV, Section 4, Acts of the Third Called Session of the Forty-fourth Legislature, and levying a tax upon Crude Oil; amending Section 40A, of Article 7047, Revised Civil Statutes 1925, as amended by Article IV, Section 6, Third Called Session, Forty-fourth Legislature, levying a tax upon Sulphur; amending Section 3, Chapter 73, Acts, Forty-second Legislature, as amended by Article IV, Section 8, Chapter 495, Acts, Forty-fourth Legislature, Third Called Session, levying a tax upon Gas; providing the method and means of collecting the taxes herein levied; providing penalties in certain instances; allocating certain funds to the Available School Fund and the Texas Old Age Pension Fund; declaring the Act to be severable and repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Chambers, Mr. Burkett, Mr. Crossley, Mr. Howington and Mr. Spencer:

H. B. No. 418, A bill to be entitled "An Act providing plan of soil conservation, prescribing mode and manner of participation in said plan, prescribing agency through which plan may be perfected, declaring policy of State, prescribing method of compensation by State to those participating, prescribing limitations and/or re-

quirements for participation in said Act, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Rhodes, Mr. Tennant, Mr. McDaniel, Mr. Hamilton, Mr. Pevehouse, Mr. Reader of Erath and Mr. Kersey:

H. B. No. 419, A bill to be entitled "An Act amending Section 3 of House Bill No. 352, of the Regular Session of the Forty-fifth Legislature, Chapter 436, page 893, exempting certain boilers from the provisions of said Act, and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Leonard:

H. B. No. 420, A bill to be entitled "An Act to determine the facts and public policy concerning the making of loans of Five Hundred Dollars or less; to define and regulate the business of making loans in the amount of Five Hundred Dollars or less; to permit the licensing of persons engaged in such business; to prescribe interest and to define, authorize, and limit charges which licensees may contract for and receive in addition to interest and to define the manner and terms by which such charges may be contracted for, computed, and taken by licensees; to place the burden of proof in establishing the nature of such charges; to regulate assignments of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of Five Hundred Dollars or less; to provide for the administration of this Act and for the issuance of rules and regulations therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of decisions and findings of the Banking Commissioner of Texas under this Act; to prescribe special penalties; and to repeal Article 6165a of Title 107, Revised Civil Statutes, Article 7047 of Title 122, Section 14, entitled 'Loan Brokers,' and Section 14, entitled 'Money Lenders,' and Article 1129a, Title 14 of Chapter 12 of the Penal Code, defining, regulating and taxing loan brokers. Repealing Articles 5069, 5071, 5073, Title 79, Revised Civil Statutes to the extent that they are inconsistent with this Act; and to repeal all Acts and parts of Acts whether general, special, or local,

which relate to the same subject matter as this Act, so far as they are inconsistent with the provisions of this Act; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Isaacks and Mr. Bridgers:

H. B. No. 421, A bill to be entitled "An Act to promote the orderly conservation, development and use of the subsurface waters of this State, and to control pollution and waste of such waters in compliance with the command of Section 59a, b, and c, of Article XVI of the Constitution of Texas; defining certain words and phrases as used in the Act; providing that districts may be organized within the State, within the terms of Section 59a, b, and c, of Article XVI of the Constitution of Texas, in the same manner and under the same procedure as provided for the organization of water control and improvement districts under the provision of Chapter 25, Acts of the Regular Session of the Thirty-ninth Legislature, as amended; prescribing the rights, powers, duties and functions of such districts; prescribing the rights, powers, duties and functions of the State Board of Water Engineers, under this Act; providing for the formulation and promulgation of such administrative orders, rules or modes of procedure, or limitations of the manner of diversion, taking and use of subsurface waters; excepting from the provision of the Act that quantity of water reasonably required for household use, the watering of livestock, and watering of yard vegetations and gardens when developed for individual use and not grown for commercial profit; providing certain limitations on rights acquired under this Act; amending Section 2 of Chapter 280, Acts of the Regular Session, Forty-first Legislature by adding a new subdivision to be designated subdivision (h) and providing for the creation of districts for the purpose of developing projects for the diversion, control, preservation of purity and potability of subsurface water and the prudent use thereof; providing that such districts may levy and collect taxes or reasonable service charges, either or both; providing the

tax rate shall not exceed five cents on the One Hundred Dollars of assessed valuation of the district; prescribing fees to be collected by State Board of Water Engineers in payment of services performed by the Board; providing for the filing of reports; providing for the control and abatement of waste and pollution of subsurface waters by the district or by State Board of Water Engineers, or by any interested person; providing for the control and abatement of waste and pollution without the boundaries of a district; prescribing a penalty for the violation of this Act; providing a saving clause, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Isaacks:

H. B. No. 422, A bill to be entitled "An Act providing that any person of good moral character who, on May 22, 1937, had been engaged in the practice of architecture in this State for a period of at least six months prior to said date and who failed to obtain a registration certificate as provided for in Section 7 of Chapter 478, Acts of 1937, Forty-fifth Legislature, may have thirty (30) days from the date upon which this Act goes into effect in which to file with the Board of Architectural Examiners the affidavit and pay the fee of \$25.00 in order to obtain a certificate authorizing such person to practice Architecture in the State of Texas, as provided in said Act, and further amending said Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Mays:

H. B. No. 423, A bill to be entitled "An Act (a) Designed to correct the inequalities in the assessment of the properties of the railroads of this State for the purposes of taxation, and to provide a method for establishing a uniform basis for the assessment of such taxes; (b) Providing for the appointment of the Board of Railway Taxation by the Governor of Texas; fixing the number and qualifications of the members of said Board, the term of their service in office and the manner in which they shall qualify; (c) Giving said Board the power to adopt reasonable rules for their organization and procedure,

and requiring that the same conform to all requirements of the Constitution of Texas; (d) Defining the duties of said Board; providing for the adoption of tentative values of the properties of railway companies; requiring railway corporations at certain times to file with the Railroad Commission of Texas certain data with respect to the actual value of the properties of railroads; providing that the values for each county of location be separately stated, and providing the oath to be made as a part of any such statement; (e) Providing that tentative report of value and allocation as between the counties be furnished to each affected railroad and each affected county, and providing for the holding of one or more hearings of all interested parties within thirty days after the copies of the tentative findings have been mailed to the parties at interest, and further providing that any interested railroad or any interested county may appear and offer objections and evidence; (f) Providing the basis for determining the values of properties for purposes of taxation; (g) Providing for final finding as to values and the allocation of values and requiring that same should conform to the evidence heard; also providing that a copy of the final report be furnished to the Commissioners' Court of each county and to each interested railroad; providing that said final report shall become the basis for the assessment of taxes upon the property of railroads unless exception or objection be made thereto and an appeal taken to the Commissioners' Court of any affected county; providing that such Commissioners' Court, in hearing the same, shall proceed to equalize taxes in the same manner as is now provided by Section 18 of Article VIII of the Constitution of Texas; limiting the right to both railroads and counties to judicial attack upon such reports to cases of obvious error or such arbitrary findings as would constitute fraud; (h) Providing for compensation and expenses incident to the creation, maintenance and discharge of the duties of the Board created hereby, and the manner of payment thereof; (i) Excepting from the operation of this Act the assessment of the intangible assets of railroads; and making peculiar provisions with respect to assessing the values of rolling stock of railroads; providing that

if the basis for determining values provided in this Act is judicially declared to be not valid, such declaration shall not affect the operation of the Act, and providing that such determination may be made in such manner as to comport with the law; (j) Declaring an emergency and providing the time at which this Act shall be in force and effect."

Referred to the Committee on Revenue and Taxation.

By Mr. Mays:

H. B. No. 424, A bill to be entitled "An Act to amend Article 4014, Title 66, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 261, Chapter 156, so as to provide for annual reports of free passes, franks and transportation; prescribing a penalty for violation, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Mays:

H. B. No. 425, A bill to be entitled "An Act prohibiting a freight train to consist of more than seventy cars exclusive of caboose, to be run on any Texas Railroad; prohibiting a passenger train to consist of more than fourteen cars to be run on any Texas Railroad; providing for a penalty for violation of laws, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Thornton:

H. B. No. 426, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal years beginning September 1, 1936 and ending August 31, 1938, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Felty and Mr. Kersey:

H. B. No. 427, A bill to be entitled "An Act exempting newspaper men testifying with reference to the source of certain confidential information; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Bradbury and Mr. Dickson:

H. B. No. 428, A bill to be entitled "An Act amending Article 2911, Revised Civil Statutes, providing for the teaching of the effect of alcoholic stimulants, marihuana, and narcotics in the public schools, colleges, and universities of Texas, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Celaya:

H. B. No. 429, A bill to be entitled "An Act to create a more efficient road law for Cameron County, Texas, providing for the cancellation, without the prerequisite of an election, of certain bonds heretofore voted, prescribing the method of accomplishing said cancellation, providing that this law shall take precedence over other laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Goodman:

H. B. No. 430, A bill to be entitled "An Act ratifying and confirming, subject to the consent and approval of the Congress of the United States, an agreement and compact between the States of New Mexico and Texas, pertaining to the construction and maintenance of the Alamogordo Reservoir upon the Pecos River in the State of New Mexico, and providing for agreement on the part of the State of New Mexico pertaining to the use of the waters of the Pecos River, and declaring an emergency."

Referred to the Committee on Interstate Cooperation.

By Mr. Cornett:

H. B. No. 431, A bill to be entitled "An Act providing pay for County Board members of certain counties and limiting the number of sessions to be paid for, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Schuenemann:

H. B. No. 432, A bill to be entitled "An Act to amend Section 1 of Article 952 of the Penal Code, by adding thereto Wilson County, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Dickson and Mr. Pevehouse:

H. J. R. No. 26, Proposing an amendment to the Constitution of the State of Texas amending Article 3, Section 2, changing the number of Members in the Senate and in the House of Representatives and changing the method whereby they are elected, providing for the submission of this amendment to the voters of this State, providing for proclamation of said election by the Governor and publication thereof, making an appropriation therefor and prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Hardin:

H. J. R. No. 27, Proposing an amendment to Section 51-b of Article III of the Constitution of Texas levying a three (3%) per cent sales tax for the creation of a fund to pay old age pensions and benefits and to be used and disbursed for such other things and purposes in the manner and proportion herein set forth fixing and determining the rate of such tax and the method of its collection and disbursement, and making an appropriation to pay the necessary expenses for advertising and submitting this amendment.

Referred to the Committee on Constitutional Amendments.

RELATIVE TO HOUSE BILL NO. 336

Mr. Leonard moved that House Bill No. 336, reported adversely, with a minority favorable report, be printed.

The motion was lost.

Mr. Dickson moved to reconsider the vote by which the House refused to print, on minority report, House Bill No. 336.

Mr. Thornton moved to table the motion by Mr. Dickson.

The motion to table was lost.

Question—Shall the motion to reconsider the vote prevail?

MEMORIALIZING CONGRESS IN REGARD TO IMMIGRATION LAWS

The Speaker laid before the House, for consideration at this time, House Simple Resolution No. 102, by Mr. Kinard, Memorializing Congress in regard to Immigration Laws of the Nation.

The resolution having heretofore been read second time, and referred to the Committee on Federal Relations.

The Committee on Federal Relations having recommended the adoption of the resolution.

The resolution was then adopted.

RELATIVE TO HOUSE BILL NO. 296

On motion of Mr. Goodman, unanimous consent was given to correct House Bill No. 296, by inserting a comma and the word "alfalfa" after the word "cotton" and before the words "or sorghum" on page 4, line 25 of the bill as originally introduced.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication from Honorable Ernest O. Thompson:

February 1, 1939.

Hon. R. L. Reader, Member of the House of Representatives,
Austin, Texas.

Dear Sir and Friend:

This is to acknowledge from you receipt of \$88.10, which you and your Committee so kindly and generously raised among the Members of the House of Representatives for the Infantile Paralysis Fund.

I want you to know that your encouragement made my work much easier, and I appreciate getting to know you better in this joint effort to help these poor, crippled children.

Please express for me my gratitude to each Member of your Committee, and every Member of the House.

I beg to remain,

Gratefully yours,

ERNEST O. THOMPSON.

PROVIDING FOR CERTAIN RE- PAIRS TO THE HALL OF THE HOUSE OF REPRESENTATIVES

Mr. Harrell of Lamar offered the following resolution:

H. S. R. No. 115, Providing for certain repairs to the Hall of the House of Representatives.

Whereas, The floor in one or two places in the Hall of the House of Representatives is broken and is in a dangerous condition; now, therefore, be it

Resolved, That the Contingent Expense Committee of the House be instructed to examine these broken places and make such repairs as they deem necessary.

The resolution was read second time, and was adopted.

CONCERNING CERTAIN PROP- ERTY OF THE HOUSTON LIGHT GUARD VETERANS ASSOCIATION

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 30, by Mr. Howard, Concerning certain property of the Houston Light Guard Veterans Association, Inc.

The resolution having heretofore been read second time, and referred to the Committee on Military Affairs.

The Committee on Military Affairs having recommended the adoption of the resolution.

Mr. Alsop offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 30, as follows: "Provided, however, that the State will not be liable for any taxes either in the past or future."

The amendment was adopted.

The resolution, as amended, was then adopted.

SPECIAL COMMITTEES AP- POINTED

The Speaker announced the appointment of the following committee to escort Governor W. Lee O'Daniel to the Hall of the House and to the Speaker's Stand to hear the address of Dr. Homer P. Rainey: Messrs. Wood, Daniel, Wells, Hunt and Burkett.

The Speaker announced the appointment of the following committee to

escort Dr. Homer Price Rainey to the Hall of the House and to the Speaker's Stand: Messrs. Thornberry, Langdon, Baker of Fort Bend, Cornett, Riviere, Newell and Goodman.

ADDRESS BY DR. HOMER PRICE RAINNEY

(In Joint Session)

In accordance with the provisions of Senate Concurrent Resolution No. 4, providing for a Joint Session of the House and Senate at 11:40 o'clock a. m., today, for the purpose of hearing an address by Dr. Homer Price Rainey, President-elect of the University of Texas, the Honorable Senators, at 11:40 o'clock a. m., escorted by Honorable Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, were announced at the Bar of the House, and being duly admitted, were escorted to seats prepared for them in the center of the Hall.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's Stand and occupied a chair on the right of the Speaker.

Governor W. Lee O'Daniel, escorted by Messrs. Wood, Daniel, Wells, Hunt and Burkett, committee on the part of the House, was announced at the Bar of the House, and by order of the Speaker, was admitted and escorted to a seat on the Speaker's Stand.

Dr. Homer Price Rainey, escorted by Senators Brownlee, Winfield, Aikin and Redditt, committee on the part of the Senate, and Messrs. Thornberry, Langdon, Baker of Fort Bend, Cornett, Riviere, Newell and Goodman, committee on the part of the House, was announced at the Bar of the House, and by order of the Speaker, was admitted and escorted to a seat on the Speaker's Stand.

Speaker Morse called the House to order and stated that the two Houses were in Joint Session for the purpose of hearing an address by Dr. Homer Price Rainey.

Lieutenant Governor Coke Stevenson called the Senate to order.

Speaker Morse then presented Lieutenant Governor Coke Stevenson, who in turn introduced Dr. Homer Price Rainey to the Joint Session and the assemblage.

Dr. Rainey then addressed the Joint Session and the assemblage.

SENATE RETIRES

At the conclusion of the address, the Senate, at 12:30 o'clock p. m., retired to its Chamber.

ADJOURNMENT

On motion of Mr. Thornton, the House, at 12:35 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Public Health: House Bills Nos. 10 and 148.

Judiciary: House Bills Nos. 96 and 288.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 30, A bill to be entitled "An Act amending Chapter 10, Special Laws, Forty-fourth Legislature, enacted in the year A. D. 1935, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 134, A bill to be entitled "An Act prohibiting the setting of any steel trap, snare, or deadfall in Panola County for the purpose of taking any fur-bearing animals for a period of two (2) years; providing certain exceptions; repealing all laws in so far as they conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 159, A bill to be entitled "An Act granting permission to A. B. Murdock to bring suit against the State of Texas and/or Highway Department in a Court of competent jurisdiction, for damages resulting by reason of the Texas Highway Department withholding a certain sum as liquidated damages, which is due and owing to the said A. B. Murdock for labor and material furnished in the building of Texas State Highway No. 34 in Tarrant County, Texas; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provision of this Act shall be invalid, the invalidity of the provisions thereof shall not be affected, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 179, A bill to be entitled "An Act authorizing the Old Age Assistance Commission to pay interest on warrants issued against the Texas Old Age Assistance Fund; making appropriations therefor; restricting the total amount to be paid on account of any warrant issued for a given month; prescribing the powers and duties of certain State Officials in reference thereto; prescribing the maximum rate of interest to be paid; providing that authority conferred in this Act shall not be limited by the provisions of Sections 6 of Chapter 472, Acts of the Second Called Session of the Forty-fourth Legislature; providing for the payment of any warrants issued under the provisions of this Act; limiting the amount of warrants to be issued hereunder to not more than Nine Hundred Thousand (\$900,000) Dollars and further providing that no such warrants on which interest is to be paid shall be issued after September 1, 1939; making this Act cumulative of other laws by providing that it shall take precedence over

any law conflicting herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 212, A bill to be entitled "An Act creating a Special Road Law for Hamilton County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of the 1st day of January, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners Court of said County and the officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 228, A bill to be entitled "An Act authorizing certain cities to issue municipal bonds to fund the deficit in the wages of firemen and policemen of said cities; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 236, A bill to be entitled "An Act authorizing the Commission-

ers' Court in each county in this State having a population of not less than thirty-four thousand (34,000) nor more than thirty-four thousand, two hundred (34,200), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 264, A bill to be entitled "An Act to amend Section 1 of House Bill No. 506, being Chapter 63, General and Special Laws of 1937 of the Forty-fifth Legislature, Regular Session."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 274, A bill to be entitled "An Act creating a Special Road Law for Parker County, Texas; providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of November 14, 1938; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges, and General Laws on funding or refunding bonds, not in conflict herewith;

enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 276, A bill to be entitled "An Act to prohibit the use of any trap, seine or net of any kind or character for the purpose of taking or catching any fish out of the west fork or tributary of the Trinity River in Wise County, Texas, for a period of three (3) years from and after the effective date of this Act; prescribing a penalty therefor, providing, however, that this Act shall not prohibit the use of a minnow seine in such river, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 293, A bill to be entitled "An Act creating a Special Road Law for Kaufman County, Texas; providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of June 8, 1938; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; providing this law shall be cumulative of Special Road Laws for Kaufman County, Texas, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in

conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 301, A bill to be entitled "An Act prohibiting the taking of fur-bearing animals in Shelby County; providing a suitable penalty for violation of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 316, A bill to be entitled "An Act validating the organization of Water Control and Improvement Districts and validating all acts of the officials in creating such Districts; and validating all bonds issued and all bonds voted but not yet issued by such Districts; validating all acts of the officials of said District, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 321, A bill to be entitled "An Act amending Article 5139 of the Revised Civil Statutes of Texas (1925) by adding a new Article to be known as Article 5139A providing for the establishment of a Juvenile Board in counties having a population of sixty-four thousand (64,000) inhabitants and not more than sixty-five thousand (65,000) inhabitants, according to the last preceding Federal Census, providing for the compensation of the members of said Board, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 349, A bill to be entitled "An Act creating and establishing Callahan County Road District No. 2 in Callahan County, Texas, under Article III, Section 52 of the Constitution for the purpose of the construction, operation and maintenance of macademized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the District hereby created is also included in another road district having outstanding bonds shall not affect the District hereby created or its powers hereby granted; determining that all of the lands in said District will be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other General or Special Laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 351, A bill to be entitled "An Act to permit the taking of fish in public waters and streams in Erath

and Hood Counties with certain exceptions, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 356, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than seven thousand, seven hundred (7,700) and not less than seven thousand, six hundred eighty (7,680) inhabitants, according to the last preceding census; regulating the salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 378, A bill to be entitled "An Act to amend Article 4494 of the Revised Civil Statutes of Texas, 1925, by adding 4494b to allow counties of certain size to lease their county hospitals, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 380, A bill to be entitled "An Act applying to counties which have a population of five thousand, five hundred and eighty-six (5,586) in the Federal Census of 1930 and a scholastic population of one thousand, six hundred and ninety-four (1,694)

in the scholastic year 1938-1939, and providing exemptions relative to tax rates, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 395, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or secretary in any county having a population of not more than seven thousand and fifteen (7,015) and not less than six thousand, six hundred and eighty-five (6,685) inhabitants according to the last preceding Federal Census; regulating the salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 296, A bill to be entitled "An Act to amend Chapter 93, Acts of the First Called Session of the Forty-first Legislature of the State of Texas, further defining the duties of the Commissioner of Agriculture, providing certain safeguards for the purchasers of seed produced outside of Texas and shipped into Texas, providing that seed sold as registered and certified in Texas meet Texas standards, requiring permit to ship certain planting seed into Texas, providing fees for such permits, clarifying certain terms used under the seed certification program, providing penalties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

In Memory of
Hon. Robert Armstrong

Mr. McDonald offered the following resolution:

H. S. R. No. 112, In memory of Hon. Robert Armstrong.

Whereas, the House of Representatives has learned with regret of the death of Honorable Robert Armstrong, President of the Brazos County Bar Association since its inception about twenty years ago, at his home in Bryan, Texas, on February 1; and

Whereas, The death of this distinguished lawyer and citizen terminated a brilliant life of useful service and devotion to this State, the Nation and the welfare of his fellowmen, and especially to the legal profession of Texas; and

Whereas, In the State of his adoption which proudly claims Robert Armstrong as its own, a deep void has been left in the hearts of all who loved and honored him for his great gifts of mind and heart, manifest to all who knew him; who gave unstintingly to every needy cause, who made great and valuable contributions to his State and community, who denied his contributions and benefactions to no worthy enterprise, whose entire career as a citizen of Texas is eminently worthy of emulation; and

Whereas, Robert Armstrong leaves behind him a record so highly deserving of retrospection, born in Keyser, West Virginia, on the 9th day of April, 1860, and lacked little more than a month of being seventy-nine years of age. His family moved to Salem, Virginia, in his youth, and he then came to Bryan, residing here for a short time then returning to Virginia. He was educated in the Law School in the University of Virginia and returned to Bryan, finally settling here in 1891 and establishing himself as a member of the Brazos County Bar Association.

Whereas, By his innumerable good deeds Robert Armstrong shall enjoy the immortality that is imperishable; and

Whereas, The esteem in which he was held by his fellow attorneys was indicated recently. The Brazos County Bar Association, of which he was Dean and also President, recently staged a luncheon, at which he was the surprise guest of honor. He was lauded as an attorney and a citizen and was honored with election for life as President of the organization. Throughout his career he had avoided the spot-light and did not seek public office but was always interested in the election of the best possible men to positions of public trust, and in the progress of his community.

Whereas, We of the legion who were privileged to call him "friend" feel a deep sense of personal loss and abiding sympathy for his bereaved family; now, therefore, be it

Resolved by the House of Representatives, That a copy of this resolution be spread on the memorial pages of the House Journal of this day in memory of the deceased and as a tribute to a man who brought honor in the faithful service he rendered his State at all times; and, be it further

Resolved, That the Chief Clerk of the House of Representatives send the family of the deceased a copy of this resolution, and the Secretary of the Brazos County Bar Association, under the seal of the House of Representatives, and that when the House adjourns today it do so with all

honor and respect accredited to the life, works, and faith of the Honorable Robert Armstrong.

McDONALD.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Davis of Jasper, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of Hon. R. E. Taylor

Mr. McMurry offered the following resolution:

H. S. R. No. 113, In memory of the Hon. R. E. Taylor.

Whereas, In the interim since the last Session of the Legislature, the Creator of the Universe, and the greatest of all Law Givers, God, in His infinite wisdom took from our earthly realm all that was mortal of Hon. R. E. Taylor of Henrietta and Wichita Falls, Texas; and

Whereas, Judge Taylor was, at the time of his passing, generally considered to be the Dean of the Bar of the Wichita Falls area, having served his State and Country in the following capacities:

District Attorney for the 30th Judicial District of Texas,

United States District Attorney for the Northern District of Texas, and for the past several years having been engaged in the private practice of law in Henrietta; and

Whereas, During the time that he was United States District Attorney, he successfully prosecuted such causes as the Jackson Street Post Office robbery in Dallas, wherein the criminals, Rowan, Street and Scrivener, were prosecuted and convicted, and also the Little Motor Car case, wherein the defendant, Livesey, was prosecuted and convicted; and

Whereas, From the time of his admission to the Bar on March 7, 1890, until his death, he was recognized as one of the State's most able "trial lawyers", and certainly worthy of the highest regard of his fellow man, and his life was such that his greatest interest was in taking part in all matters for the public good, help and fellowship for his fellow man, justice for the weak and oppressed, and fellowship for, and cooperation with all of the younger lawyers who came under his influence; and

Whereas, The people of his section of Texas, as well as the people of the entire State, lost a great man and a true friend; now, therefore, be it

Resolved by the House of Representatives of the Legislature of the State of Texas, That the Members express their sincere and most profound sorrow at the passing of Judge Taylor, and that a copy of this resolution be spread on the memorial pages of the House Journal of this day, in memory of the deceased, and that a copy be sent to each member of the family.

McMURRY.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Hale, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of Hon. Emmett C. Hill

Mr. Smith of Matagorda offered the following resolution:

H. S. R. No. 114, In memory of Hon. Emmett C. Hill.

Whereas, On the 2nd day of August, A. D. 1938, the Supreme Ruler of the Universe, in His infinite wisdom, called to his eternal reward, the Honorable Emmett C. Hill, of Angleton, Brazoria County, Texas; and

Whereas, Mr. Hill served with distinction in all the Sessions of the Forty-third and Forty-fourth Legislatures, representing the Counties of Brazoria and Matagorda; and

Whereas, He had been engaged in the practice of law for many years in his home town of Angleton; and

Whereas, In the service rendered by him to his State, as well as in the practice of the law, he commanded the respect of his fellowman; now, therefore, be it

Resolved by the House of Representatives of the Forty-sixth Legislature, That the Members deeply regret the passing of this former Member, and that we extend our sincere sympathy to the surviving members of his family; and, be it further

Resolved, That when the House adjourns today, it do so in memory of Emmett C. Hill, that a page of the Journal, today be dedicated to his memory, and that the Chief Clerk of the House of Representatives be instructed to send copies of this resolution to the family of Mr. Hill.

SMITH of Matagorda,
THORNTON,
COLQUITT,
HANKAMER,
HARTZOG,
MORRIS.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Lehman, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.